

M E M O R A N D U M

EPA Region 5 Records Ctr.



315978

DATE: September 19, 1988  
TO: Division File  
FROM: P.M. McCarthy *Cur* and Wendy Schaufelberger *WBS*  
SUBJECT: 1630450038 - St. Clair County - East St. Louis/Wastex  
ILD980700744 - Compliance File

On September 14, 1988, P.M. McCarthy, Mike Grant and Wendy Schaufelberger conducted an annual ISS inspection at Wastex. In conjunction, an inspection relating to the July 31, 1987, Consent Decree (CD) was conducted. This memo will follow the format of the CD, beginning with Section A, Operating Requirements.

- A1. Fuel Blending and Marketing - In compliance.
- A2. Receipt of Wastes - In compliance.
- A3. Shipping of Wastes - In compliance.
- A4. Containers - Wastex, per Mr. Hein, and as observed in several buildings, has begun to address this portion of the CD. However, the facility is still in violation of said CD, as the language stated that they were to have been in compliance by October 31, 1987. This requirement included the physical rearrangement and closing of drums. Open drums and drums stacked greater than 2 high and two wide were observed.
  - a. Drums were observed as having offset lids, missing lids and steel rings off. Some examples included drum W-35-1088, which was missing a steel ring around the top, and drums W-35-566 and W-35-1587, each had lids that were not secure and offset on the opening of the drum. All of these examples were in Buildings #3 and #22.
  - b. As stated above, drums were observed with lids offset or open.
  - c. Drums that had leaked and leaking drums were observed during this inspection. Included among them were 1376, 977 and W-35-701 and 702. Drums W-35-1567, W-35-1476 and W-35-1481 had plastic over the top instead of a lid. Per Terry Hein, Wastex has received 57 overpacks, and the facility has been overpacking some leaking drums. However, not all of the overpacks are labeled with the drum number, or are being tracked in the operating record.
  - d. As stated above, containers were observed open and having greater than an inch in contents.
  - e. Drums were observed in Buildings #3 and #22 in violation of these requirements. The drums were stacked greater than 2 high, 2 wide. Forty-eight inches of aisle space was not allowed for. Markings and labels were not plainly visible on all drums. However, a yellow indicator line has been placed 50' from the property line.

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Some of the 51 drums observed this date that were not in compliance with this Section and their conditions are as follows:

Building 38 & 1 - 1376 and 1379 - leaker  
1384 - leaker  
977 - leaker  
W-35-701 & 702 - leaker

Building 3 & 22 - W-35-566 - open lid  
W-35-1567 - plastic for a lid  
W-35-2204 - rusted, caved in top  
W-35-1476 - plastic for a lid

A5. Inventory of Materials - This was to be complied with by 9/29/87. A submittal was made 12/11/87, which diagrammed the location of the drums. Individual numbers were assigned to each drum in the inventory, but not all of the drums are physically numbered.

- a. In compliance.
- b. See A15.
- c. See A15.
- d. The compatibility of waste with each type of container or tank has not been recorded with the inventory.
- e. The condition of each tank has not been recorded with the inventory. There are 31 tanks on site. The inventory lists only 27. The four new FT tanks were not included in the inventory.
- f. In compliance.
- g. Not all containers being sampled are marked with the sample number and date sampled. For example, sample WR68 came from drums 1775 and 1779, according to the sample log book. Upon inspection, drums 1775 and 1779 were not marked with the sample number and date. Drums 1788, 1793 and 1800 were marked as having been sampled, but there was no notation of this in the log book. The log book showed that drums 1787, 1791 and 1798 were sampled. Mr. Hein did not know why.
- h. Not all containers are marked. In Buildings #3 and #22, there are drums that were not labeled or numbered. Also, the overpacks on 38-1 are not marked.

A6. Treatment of Wastes - In compliance.

A7. Waste Analysis

- a. As of February, 1988, Wastex has been collecting samples from incoming loads. However, the loads are accepted and put into storage before analyses are completed.

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According to the operating record, 8 samples that were taken in August have not been analyzed to date.

- b. The analyses that were done were in compliance with the regulations.
  - c. Completed analysis reports have become part of the operating record.
  - d. See A15.
- A8. Supervision of Waste Analysis - Nick Tita, Chemist for Wastex, was laid off and currently has new employment. Wastex no longer has a chemist.
- A9. Inspection Plan - In compliance.
- A10. Daily Inspection - They have not been inspecting the two tank trailers containing asphalt fuel.
- A11. Training Program - In compliance.
- A12. Emergency Equipment - In compliance.
- A13. Testing of Emergency Equipment - In compliance.
- A14. Security - In compliance.
- A15. Operating Record (O.R.) - There are eight drums that were put into unlabeled overpacks which are not being tracked in the O.R. The operating record does include sample numbers and the correlating container number from which the sample was taken. However, not all containers are being marked with the sample number, and not all of the numbers in the O.R. correlate with the actual containers. (See A5g.)
- A16. Use of Non-Sparking Tools - In compliance, however, due to the fact that no processing was taking place, the assumption that appropriate tools were being used could not be substantiated.
- A17. Closure Plan - This item has been submitted but not by the required date of September 14, 1987. On September 30, 1987, it was submitted. However, it was deemed inadequate on January 13, 1988. This continues to be a violation.
- A18. Cost of Closure Plan - See A17 above.
- A19. Financial Assurance for Closure - Wastex is delinquent three annual trust fund payments. The first payment was due on May 17, 1986, for the amount of \$8917.27. The second payment was due May 17, 1987, for the amount of \$9366.20. A third payment was due May 17, 1988, for the amount of \$9521.63. The trust fund fund deficiency totals \$27,805.10. This is an ongoing violation of the Consent Decree.

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A20. Financial Responsibility for Closure - This item is monitored by the Administrative Compliance Unit of the Compliance Section.

A21. All wastes were to be removed and properly disposed of 180 days after receipt, except as provided in Section B. There is waste that has been at the facility for greater than 180 days. For example, they have not shipped any cement kiln waste since September 24, 1987.

As of 9/24/87 - 160,000 gal. of kiln waste was on site.

As of 4/07/88 - 189,000 gal. of kiln waste was on site.

As of 9/14/88 - 205,000 gal. of kiln waste was on site.

Therefore, at least 160,000 gallons have been on site over 180 days.

B2. As of 7/25/88, 4/5 of the Chase Inventory was to be disposed of and a report made to IEPA and to the USEPA court. No such disposal or reporting has been done.

In summation, Wastex continues to apparently violate both RCRA regulations and the CD.

PMM:WGS:pbo/0228L

cc: DLPC Collinsville

cc: Bruce Carlson

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